



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5 1633
1/21/03
DD

Attorney Docket No.: 37794-0032

Applicant: Peter K. LAW

Confirmation No.: 5167

Appl. No.: 09/986,344

Examiner: Unassigned

Filed: November 8, 2001

Art Unit: 1633

Title: MYOBLAST TRANSFER THERAPY FOR RELIEVING PAIN AND
FOR TREATING BEHAVIORAL AND PERCEPTIVE
ABNORMALITIES

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

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JAN 16 2003

Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) prior to the mailing date of the first official action, therefore, no fee is

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Attorney Docket No.: 373794-0032

required in connection with its filing. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Applicant is having difficulty in obtaining a copy of reference A4. Reference A4 was cited in a communication from the European Patent Office dated November 11, 1998 and appears to be incorrectly cited. Applicant intends to submit a correct copy of reference A4 when available.

Applicant respectfully requests that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: January 15, 2003

By Marvin A. Motsenbocker

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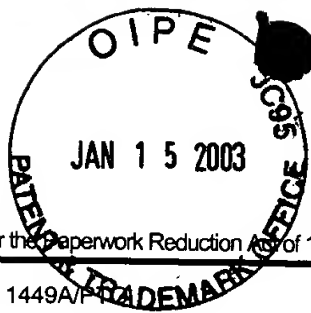
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Substitute for form 1449A/PTA

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

2

Complete if Known

Application Number	09/986,344
Filing Date	November 8, 2001
First Named Inventor	Peter K. LAW
Group Art Unit	1633
Examiner Name	Unassigned
Attorney Docket Number	37794-0032

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	A4	Takeuchi, T., et al., "Production of a Therapeutic Peptide Enkephalin from a Variety of Non-Endocrine Cell Lines Using a Novel Expression Vector for Fusion Peptides," Gene Therapy, Vol. 2, pp. 689 (1995)	
	A5	Sandra, A., "Reversal by Insulin of Concanavalin A Inhibition of Myotube Formation and Evidence for Binding Sites," Endocrinology, Vol. 105, No. 2, pp. 391-401 (August 1979)	
	A6	We, et al., "Implantation of AtT-20 or Genetically Modified AtT-20/hENK Cells in Mouse Spinal Cord Induced Antinociception and Opioid Tolerance," Journal of Neuroscience, Vol. 14, No. 8, pp. 4806-4814 (1994)	

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Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.